

United States Bankruptcy Court  
District of New Mexico

In re:  
Kathryn Ramona Esquibel  
Debtor

Case No. 17-10498-j  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 1084-1

User: admin  
Form ID: pdfor1

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Feb 18, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 20, 2020.

intp +Sexton John, 3502 33rd Circle, Rio Rancho, NM 87124-1931

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 20, 2020

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 18, 2020 at the address(es) listed below:

Alice Nystel Page on behalf of U.S. Trustee United States Trustee Alice.N.Page@usdoj.gov  
Alice Nystel Page on behalf of Plaintiff United States Trustee Alice.N.Page@usdoj.gov  
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askewmazellawfirm@gmail.com;enunez@askewwhite.com;mvallejos@askewwhite.com;askewmazeladmin@ecf.co  
urtdrive.com;hhenry@askewwhite.com  
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askewmazellawfirm@gmail.com;enunez@askewwhite.com;mvallejos@askewwhite.com;askewmazeladmin@ecf.co  
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David Alton Kelly alton@kgeenergy.com  
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Michael K Daniels on behalf of Creditor Estate of Nancy Richards mike@mdanielslaw.com,  
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Michael K Daniels on behalf of Creditor Merrie Chappell Law, PC mike@mdanielslaw.com,  
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Michael K Daniels on behalf of Creditor Martin Lopez, III, PC mike@mdanielslaw.com,  
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United States Trustee ustpregion20.aq.ecf@usdoj.gov  
Wesley O Pool on behalf of Defendant Kathryn Ramona Esquibel wesley@poollawfirm.com,  
mike@poollawfirm.com  
Wesley O Pool on behalf of Debtor Kathryn Ramona Esquibel wesley@poollawfirm.com,  
mike@poollawfirm.com  
Yvette J. Gonzales yjgllc@yahoo.com, yg@trusteesolutions.net

TOTAL: 18

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW MEXICO

In re: KATHRYN RAMONA ESQUIBEL,  
Debtor.

No. 17-10498-j7

**ORDER DIRECTING CHAPTER 7 TRUSTEE TO FILE A REPORT AND NOTICE  
REGARDING APPRAISAL AND SCHEDULING STATUS CONFERENCE**

On February 18, 2020, the Court held a status conference in two related Adversary Proceedings: Martin Lopez v. Kathryn Ramona Esquibel – Adv. Proc. No. 17-1044-j and United States Trustee v. Kathryn Ramona Esquibel – Adv. Proc. No. 17-1045-j. Parties/counsel who appeared at the status conference were noted on the record.

Previously, the Chapter 7 Trustee reached a settlement with John Sexton, David Kelly, and Martin Lopez, III, P.C. which resolved the claims raised in Adversary Proceeding No. 17-1045-j.<sup>1</sup> The Settlement Agreement and Mutual Release grants David Kelly a one year exclusive right to purchase certain real property (“Property”) from the Chapter 7 Trustee, which period “begin[s] on the earlier of the effective date of an appraisal obtained by either the [Chapter 7] Trustee or [David] Kelly.” *See Settlement Agreement and Mutual Release, ¶4, Adversary Proceeding No. 17-1044-j – Docket No. 26.* The Court approved the Settlement Agreement and Mutual Release in this bankruptcy case on May 31, 2019. *See Docket No. 126.* Adversary Proceeding No. 17-1044-j remains open pending completion of the terms of the Settlement Agreement and Mutual Release. It is not clear whether the one-year exclusive purchase right, triggered by the effective date of an appraisal of the Property obtained by the Chapter 7 Trustee or David Kelly has begun to run.

WHEREFORE, IN ACCORDANCE with the Court’s ruling at the status conference held February 18, 2020,

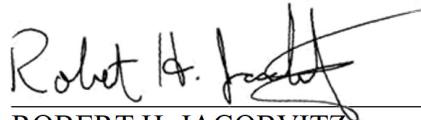
IT IS ORDERED:

1. Trustee’s Report of Intention to Obtain Appraisal. By **February 28, 2020**, the Chapter 7 Trustee shall file a report indicating whether she intends to obtain an appraisal for the Property, and, if so, when she will order an appraisal of the Property.
2. Trustee’s Report of Appraisal. If the Chapter 7 Trustee orders an appraisal of the Property, upon receipt of the appraisal, the Trustee shall promptly file a notice of receipt of the appraisal with a copy of the appraisal attached.
3. Status Conference. If the Chapter 7 Trustee does not timely file a report as required by paragraph 1, or files a report indicating that she does not intend to order an appraisal of the Property, the Court will hold a status conference on **Wednesday, March 4, 2020 at 11:00 a.m.** in the judge’s hearing room, 5<sup>th</sup> Floor, Pete V. Domenici United States Courthouse, 333 Lomas

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<sup>1</sup> The Court closed Adversary Proceeding No. 17-1044-j on February 18, 2020.

Blvd. NW, Albuquerque, NM 87102. Parties/counsel may appear at the status conference by telephone by making arrangements with chambers (505 600-4650 or [jacobvitzstaff@nmb.uscourts.gov](mailto:jacobvitzstaff@nmb.uscourts.gov)) at least one business day prior to the scheduled status conference.



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ROBERT H. JACOBVITZ  
United States Bankruptcy Judge

Date entered on docket: February 18, 2020

COPY TO:

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